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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FRANCIS KELLY, DENNIS KRUGER, ROBERT P. )	Case No. C 05-1287 SI
ANDERSON, GEORGE O. BULLWINKEL, )	
STEPHEN C. CHRISTENSEN, FRED J. FEGAN, )	<b>[PROPOSED]</b>
GERALD L. GREY, THOMAS E. KAZARIAN, )	<b>ORDER GRANTING</b>
FRANK M. KUNST, GARY J. LAVAYASSE, )	<b>PLAINTIFFS' MOTION FOR</b>
PATRICK H. McLAUGHLIN, DANIEL M. )	<b>ATTORNEYS' FEES AND COSTS</b>
O'DONNELL, ROBERT G. OLLER, HENRY L. )	
RANEY, GEORGE J. RIPOLL, PATRICIA )	Date: July 11, 2008
CAULFIELD AND HONORA PUC CETTI, )	Time: 9:00 a.m.
Individually and on Behalf of Others Similarly )	Courtroom: 10, 19 <sup>th</sup> Floor
Situated, )	Hon. Susan Illston
Plaintiffs, )	
v. )	
CITY AND COUNTY OF SAN FRANCISCO; SAN )	
FRANCISCO FIRE DEPARTMENT; EDWARD M. )	
HARRINGTON, in his Official Capacity as Controller )	
of the City and County of San Francisco; PHILIP A. )	
GINSBURG in his Official Capacity as Human )	
Resources Director of the City and County of San )	
Francisco; and DOES ONE though FIFTY, inclusive, )	
Defendants. )	

1 The parties in this class action have reached a settlement that provides for a total settlement  
2 fund of \$755,000 plus interest, including payment to Plaintiffs' attorneys ("Class Counsel") of up to  
3 \$101,000 plus interest for attorneys' fees. In the settlement agreement, Defendants agreed that  
4 \$101,000 plus interest was a reasonable and appropriate amount to be paid to Class Counsel for  
5 attorneys' fees. Defendants also agreed not to oppose a fee application of \$101,000 plus interest.

6 Pursuant to the parties' settlement, Class Counsel seek \$101,000 plus interest in attorneys'  
7 fees. This sum is between 13% and 14% of the total settlement fund of \$755,000 and, thus, well  
8 below the Ninth Circuit's 25% benchmark under the common fund doctrine. The hours spent by Class  
9 Counsel on this case through March 19, 2008 multiplied by their reasonable hourly rates results in a  
10 base lodestar of \$220,777.50. In addition, Class Counsel have incurred costs in the amount of  
11 \$5,282.88.

12 The Court finds that a lodestar of \$220,777.50 is reasonable. Because the amount sought by  
13 this motion is well below the lodestar, the Court finds that the fee request is reasonable.

14 Accordingly, good cause appearing therefor,

15 IT IS HEREBY ORDERED THAT Plaintiffs' motion is GRANTED. Accordingly, Class  
16 Counsel is awarded attorneys' fees in the amount of \$101,000 plus interest.

17  
18 Dated: 8/15/08 \_\_\_\_\_



\_\_\_\_\_  
SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE